



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of:  
BIRNSTIEL *et al.*

Appl. No. 08/380,200

Filed: January 30, 1995

For: **New Protein-Polycation  
Conjugates**

Art Unit: 1816

Examiner: Eisenschenk, F.

Atty. Docket: 0652.1080001/RWE/LBB

**Information Disclosure Statement and Fee  
Under 37 C.F.R. § 1.97(c)**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. A copy of each of these documents is provided.

In accordance with 37 C.F.R. § 1.97(c), fee payment under 37 C.F.R. § 1.17(p) is provided in our accompanying Check No.17510. This Information Disclosure Statement is being filed after receipt of a first office action, but prior to mailing of a final action.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Further, the following is a list of related U. S. applications that are known to the Applicants:

<b>App. Ser. No.</b>	<b>Filing Date</b>	<b>Status</b>
08/254,888	June 6, 1994	Pending
07/914,798	July 21, 1992	Unknown
08/451,038	May 25, 1995	Pending
08/450,417	May 25, 1995	Pending
08/449,741	May 25, 1995	Pending
08/449,754	May 25, 1995	Pending
08/098,265	August 5, 1993	Pending
08/098,268	August 5, 1993	Pending
08/098,269	October 14, 1993	Pending
08/525,563	September 19, 1995	Pending
08/530,181	September 29, 1995	Pending

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that an exhaustive search has been made, or that there does not exist information more material to the examination of the present patent application. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will review art of record

in all 35 U.S.C. § 120 priority documents even if not submitted by the Applicant in the instant application.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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